

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

v.

PAUL W. BERGRIN,

Defendant.

Criminal No. 09-369 (DMC)

ORDER

THIS MATTER having come before the Court upon the application of Gibbons P.C. (Lawrence S. Lustberg, Esq., appearing), standby counsel for defendant Paul Bergrin, pursuant to the Criminal Justice Act ("CJA"), 18 U.S.C. § 3006A and the CJA Plan for the United States District Court for the District of New Jersey, and defendant Bergrin having previously been determined to be indigent and standby counsel having been appointed by the Honorable William J. Martini on September 16, 2011, and the Court having considered the submissions of the parties, and the arguments of counsel on January 3, 2013 and, pursuant to the CJA, 18 U.S.C. § 3006A(e)(1), the Court having further determined that the assistance of an expert on digital audio recordings is essential to an adequate defense of defendant Bergrin on the limited issue of whether the recordings here at issue could have been and were tampered with, and for good cause shown,

IT IS on this 14th day of FEBRUARY, 2013,

ORDERED that defendant Bergrin is, *nunc pro tunc* to January 3, 2013, authorized to retain the services of James B. Reames of JBR Technology, Inc. as an expert with regard to whether the digital audio recordings at issue in this case were, as the Government claimed, "tamper-proof," and whether they were in fact tampered with, and

IT IS FURTHER ORDERED that payment for the services of the digital audio recordings expert shall be at the expense of the United States of America.

A handwritten signature in black ink, appearing to read 'D. Cavanaugh', written over a horizontal line.

Honorable Dennis M. Cavanaugh, U.S.D.J.